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FILED

MAR 17 2016

United States Bankruptcy Court
San Jose, California

Date: March 7, 2016

Honorable Steven L. Johnson

Judge

Santa Clara County

280 South First Street, Room 3035

San Jose, CA 95113-3099

Dear Judge Johnson:

I am writing to you concerning case number 15-50656-SLJ and plaintiff Dan Shaw. My wife Anne Tracy Carlson and I are one of the investors in Deed of Trust number 1217 from Dan's now bankrupt former company, Cupertino Capital. We first entered into this investment in August of 2005. We were part of group of investors who put forward a loan of \$900,000 with a term of 36 months. My share of the loan was \$50,000. At the time it seemed like a good investment and we signed up based on the recommendation of our financial advisor, Mike Holt, owner of Asset Strategies. Mike has since gone out of business and we are now without any representation on this investment. I have never met Dan Shaw as Mr. Holt was managing this note as part of our overall investments.

The note paid my wife and I interest of \$437.50 per month until 2007 when the borrower defaulted on the loan and stopped all payments. Mr. Shaw's company foreclosed on the loan in 2009 and the property was purchased by "1217 Investors, LLC" in February of 2010. As a member of this LLC, I would like to be able to work with other members to make a decision on this property; my inclination is to sell it now. However, I cannot do this because I do not have any way to contact the other members in the LLC.

I would like the court to compel Dan Shaw to communicate his current plan for this property. With his business going bankrupt, I assume he will not be working to sell this failed investment or to make good on it in some other way. In my option, the only fair way to finally settle the investment is to sell the land and distribute the proceeds among the investors according to their portion of investment in the original \$900,000. There are 14 investors in "1217 Investors, LLC" who have a claim on this land. With one or two exceptions, I do not know who the others are or how to contact them. I would like the court to compel Dan Shaw to send contact information to all investors in this LLC so we can make some decisions as an LLC to move forward with the sale of the land, or make a plan on how to continue with this investment.

Sincerely,

James E Carlson